Southern District of New York

Write the full name of each plaintiff.

(Include case number if one has been assigned)

-against-

Sixtham ENDED COMPLAINT

PRESIDENTED OF LEASTH THRUGHTZ, N. G.

Write the full name of each defendant. If you need more space, please write "see attached" in the space above and

space, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed above must be identical to those contained in Section II. NEW YORK CITY, DETECTIVE DOMINICAL

MEDONOUGH, SHIELDHOS 598, POLICE OFFICER MAIL -ELINE CRUZ, SHIELDHOS 3911; Plo MILDRED FODREGG

NOTICE

The public can access electronic court files. For privacy and security reasons, papers filed with the court should therefore not contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include only: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number. See Federal Rule of Civil Procedure 5.2.

SERGEANT, MICHAEL HENNELLY, ShIELD #01264

DETECTIVE DERRICK MOYER, ShIELD #05903; #4

JOHN DOE EMERGENCY MEDICAL TECHNICIAN #3

NORTH CENTRAL BROWN HOSPITAL, NY. CHEALTH AN

HOSPITALS CORPORATION; JOHN DOE DOCTOR

#1: MARK, A SCHEAR, M.D. JOHN DOE NURSES

#1: MARK, A SCHEAR, M.D. JOHN DOE NURSES

#1-#5; JOHN DOE ORDERLY H. 1; 2 AYMOND C. LIR.

YOURDIE JEAN PIERRE, R.N. PENELOPE CAR MICHAELM

GEORGE THOMAS, PCT; KAREN CASTRO, R.N.

I. BASIS FOR JURISDICTION

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation, and the amount in controversy is more than \$75,000, is a diversity case. In a diversity case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal-court jurisdiction in your case?

X Federal Question	
Diversity of Citizenship	
A. If you checked Federal Question	
Which of your federal constitutional or federal statutor ムフ 以, S . C. ミ 198 ろ	y rights have been violated?
	<u> </u>
	See
B. If you checked Diversity of Citizenship	
1. Citizenship of the parties	
Of what State is each party a citizen?	
The plaintiff , (Plaintiff's name)	, is a citizen of the State of
(State in which the person resides and intends to remai	n.)
or, if not lawfully admitted for permanent residence subject of the foreign state of	e in the United States, a citizen or
If more than one plaintiff is named in the complaint, at information for each additional plaintiff.	tach additional pages providing

If the defendant is an individual:	
The defendant, (Defendant's name)	, is a citizen of the State of
or, if not lawfully admitted for permanent residence in subject of the foreign state of	the United States, a citizen or
If the defendant is a corporation:	
The defendant,	is incorporated under the laws of
the State of	
and has its principal place of business in the State of	
or is incorporated under the laws of (foreign state)	
and has its principal place of business in	1
If more than one defendant is named in the complaint, atta information for each additional defendant.	ch additional pages providing
II. PARTIES	
A. Plaintiff Information	
Provide the following information for each plaintiff name, pages if needed.	d in the complaint. Attach additional
RAMON ISIDRO /	MEJIA Name
3025 GODWWTERRACE	APC#5FBRONX
Street Address	10463-5351
County, City State	Zip Code
	ss (if available)
Talenhone Number Email Addre	ss (if available)

B. Defendant Information

To the best of your ability, provide addresses where each defendant may be served. If the correct information is not provided, it could delay or prevent service of the complaint on the defendant. Make sure that the defendants listed below are the same as those listed in the caption. Attach additional pages if needed.

Defendant 1: ALICIA ROBINSON Last Name			
This trains			
Current Job Title (or other identifying information)			
NEWYORK PRESBYTERIAN COLUMBIA UNIV			
Current Work Address (or other address where defendant may be served)			
1101016 CE 1/1E/C 622W/68 MST. N.C. M. S.			
County, City State Zip Code 10032			
Defendant 2: WILFREDO VELEZ			
Eirct Name Last Name			
NEWYORK PRESBYTERIAN COLUNBIA- UNIV.			
1 the state of the			
MEDICIAL CENTER 622W168THST: N.C. N.S.			
Current Work Address (or other address where defendant may be served) 10032			
County, City State . Zip Code			
Defendant 3: John Doe Police Officers 1-12			
Defendant 3: John 1) Oe Police Officers I I			
DOLLOF DEFICERS			
cyrrent Job Title (or other Identifying Information) 50th PRECINCT 3450 KIN65BRIDGE AVENUE			
Surrent Work Address (or other address where defendant may be served)			
Current Work Address for other address			
000 16 16 1645 10463-4004			

Defendant 4:	New York First Name	Preshyterian - Last Nam	- <i>Columbia</i> e	University	Medical Cen	l 5
See attached for additional defendants.	Current Job Title (of 622 W 168) Current Work Addr 10032 County, City		formation) WEW where defendate	YORK, dant may be s Zip Co	***************************************	iCK
Place(s) of occupate(s) of occupate(s)	IENT OF CLAIM urrence: 3025 v./.c, v./.s urrence: SEPT SEPT effly the FACTS that sup					BRO. 1.0,B 1.0,B
harmed, and v additional pag	vhat each defendant p	ersonally did or faile	ed to do that h	narmed you.	Attach	
			1			

	*
INJURIES: If you were injured as a result of these actions, describe your injuries and what medical treatment, if any, you required and received.	is to
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IV. RELIEF State briefly what money demagas or other relief you went the court to order. IN PUBLED LOND AM GRENTAL TO COMP ON ALL TO PUBLED AND COLOURS AS	TOF Plos.
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Page 6

V. PLAINTIFF'S CERTIFICATION AND WARNINGS

By signing below, I certify to the best of my knowledge, information, and belief that: (1) the complaint is not being presented for an improper purpose (such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation); (2) the claims are supported by existing law or by a nonfrivolous argument to change existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Federal Rule of Civil Procedure 11.

I agree to notify the Clerk's Office in writing of any changes to my mailing address. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Each Plaintiff must sign and	date the complaint. Artach additional pages if necessary. If seeking to
proceed without prepaymer	nt of fees, each plaintiff must also submit an IFP application.
10/29/2018	Lamor & Milly
Dated	Plaintiff's Signature
KAMON.	ISIDRO MEXIA
First Name	Middle Initial Last Name
Plo Box	579 KINGSBRIDGE, BRONX
Street Address	
NYC NYS	N.Y.S 10463
County, City	State Zip Code
1646)806-61	14 NONE
Telephone Number	Email Address (if available)

I have read the Pro Se (Nonprisoner) Consent to Receive Documents Electronically:

∑S Yes □ No

If you do consent to receive documents electronically, submit the completed form with your complaint. If you do not consent, please do not attach the form.

Additional Defendants:

- 5. New York City
- 6. Detective Dominick McDonagh, Shield No. 05598 Emergency Services Unit 04, 3450 Kingsbridge Avenue Bronx, New York 10463
- 7. Police Officer Madeline Cruz Shield No. 23911 50th Precinct, 3450 Kingsbridge Avenue Bronx, New York 10463
- 8. Police Officer Mildred Rodriguez Shleld No. 25268 Detective Borough Bronx, Simpson Street, Bronx, New York 10459
- 9. Sergeant Michael Hennelly, Shield No. 01264 50th Precinct, 3450 Kingsbridge Avenue Bronx, New York 10463
- 10. Detective Derrick Moyer, Shield No. 05903 Emergency Services Unit 04, 3450 Kingsbridge Avenue Bronx, New York 10463
- 11. JOHN DOE EMERGENCY MEDICAL TECHNICIAN # 1 and 2
- 12. North Central Bronx Hospital, New York City Health and Hospitals Corporation
- -13. JOHN DOE DOCTOR#1, AKA PENELOPE CARMICHAEL, MO

14. Mark A. Schear, MD

15. JOHN DOE NUTSES #1-5, AKA RAYMOND C. LI, R.N. ; A.K.A LOURDJE

16. JOHN DOE Orderly #1, A.K.A GEORGE THOMAS, P.C.T

Statement of Facts:

- 1. PLAINTIFF is RAMON MEJIA, a 65 old male of Latino and Caribbean Indian descent.
 - 2. PLAINTIFF resides at 3025-27 Goodwin Terrace, Apt 5F, Bronx NY 10463.
- 3. On or about, on September 10, 2015, at approximately 9:30 am, PLAINTIFF was residing in his apartment committing no visible crime. PLAINTIFF was not threatening anyone, physically attacking anyone, or causing any disturbance of any kind. PLAINTIFF was well groomed, clothed, and appeared in good physical health.
- 4. A woman named Ms, 'ALICIA ROBINSON came to PLAINTIFF's apartment and identified herself as a social worker from Columbia Presbyterian Hospital. Ms. ALICIA ROBINSON and WILFREDO VELEZ unknown to PLAINTIFF about 6 feet 2 inches in height knocked on PLAINTIFF's apartment door. They asked to inspect PLAINTIFF's apartment for housing code violations. PLAINTIFF invited them in. While they were inside the apartment, Ms. ALICIA ROBINSON was dismissive of PLAINTIFF's housing problems. PLAINTIIFF told Ms. ALICIA ROBINSON and her partner to leave and never come back. They left, PLAINTIFF never threatened Ms. ALICIA ROBINSON or the male escort. PLAINTIFF never yelled at Ms.

ALICIA ROBINSON or the male escort. PLAINTIFF never physically assaulted Ms. ALICIA ROBINSON or the male escort.

- 5. Upon Plaintiff's information and belief, based on a conversation with Plaintiff's sister and neighbor, Ms. ALICIA ROBINSON and WILFREDO VELEZ, called the police. Nothing that they told the police would have justified the police coming to Plaintiff's apartment. Because Plaintiff had not engaged in any behavior to justify the police coming to the apartment, they could not have said anything truthful to the police that would have justified the police coming to Plaintiff's apartment. If she did tell the police something that would have justified them coming to Plaintiff's apartment, it would have been false.
- 6. Approximately 15 minutes later, JOHN DOE POLICE OFFICERS #1-12 began banging on PLAINTIFF's door demanding to talk to PLAINTIFF. They demanded that PLAINTIFF stand directly behind PLAINTIFF's closed front door. PLAINTIFF refused.
- 7. PLAINTIFF heard a loud noise, and then something was used on the outside of the door to blow the peephole into the apartment. The peephole object ricocheted around the apartment. An open hole was left where the peephole object was previously.
- 8. From PLAINTIFF's vantage point, PLAINTIFF could see red dots on the wall opposite the door that appeared to be from a laser sight on a gun.
- 9. PLAINTIFF asked JOHN DOE POLICE OFFICERS #1-12, who was in charge. JOHN DOE POLICE OFFICERS #1-12 responded that Dt. McDONOUGH was present and in charge.
- 10. PLAINTIFF never opened the door. PLAINTIFF never consented to the police coming into the apartment. PLAINTIFF never threatened anyone. PLAINTIFF never committed any visible crime while inside his apartment. PLAINTIFF never caused any disturbance of any kind inside his apartment.

11. After approximately one hour of causing a disturbance at PLAINTIFF's door, JOHN DOE POLICE OFFICERS #1-12 and Dt. McDONAGH broke down PLAINTIFF's door and entered his apartment in full riot gear without his consent, without a warrant, without probable cause, and without exigent circumstances.

12.One of JOHN DOE POLICE OFFICERS #1-12 in full riot gear, who was tall and large, put handcuffs on PLAINTIFF and then pushed PLAINTIFF out the door. No explanation was provided to PLANTIFF. Because PLAINTIFF was handcuffed, and had an injured foot, PLAINTIFF had a hard time going down the stairs. PLAINTIFF was in a great deal of danger falling down the stairs.

and MILDRED RODRIGUEZ on his way down the stairs causing PLAINTIFF to stumble and lose balance. PLAINTIFF asked CRUZ and RODRIGUEZ to please stop pushing very roughly, PLAINTIFF continued to stumble as CRUZ and RODRIGUEZ continued to push PLAINTIFF down the stairs. PLAINTIFF's right foot was injured while stumbling down the 6 flights of stairs. PLAINTIFF continues to experience pain in that right foot to the present. When PLAINTIFF tries to put his full weight on the foot PLAINTIFF feels pain.

14. The police officers took PLAINTIFF to an ambulance outside. Once PLAINTIFF was placed in to an ambulance JOHN DOE EMERGENCY MEDICAL TECHNICIAN # 1 and 2, transported PLAINTFF to NORTH CENTRAL BRONX HOSPITAL along with a uniformed POLICE OFFICER. At the hospital, police were everywhere.

15.At no point prior to arriving at the hospital did PLAINTIFF threaten himself or another person. At no point during the entirety of this interaction did PLAINTIFF verbally or

physically threaten, intimidate, or frighten another person or himself, nor did he attempt to do any of those actions.

16.Once arriving at the hospital, PLAINTIFF was taken to the Psychiatric Unit on the 13th floor. In that unit, PLAINTIFF was uncuffed, but informed that he was not free to leave. Once at the hospital, Plaintiff never engaged in any threatening or dangerous behavior directed at himself or others. Plaintiff was well-groomed, appeared physically healthy, and appropriately clothed. PLAINTIFF was favoring his right foot due to the injury on the staircase in the apartment building.

17. The ambulance took PLAINTIFF to North Central Bronx Hospital. Upon entering the hospital, staff asked PLAINTIFF basic questions that included his name, address and date of birth and recorded the information on a computer. PLAINTIFF answered all questions that were asked. No medical questions were asked of plaintiff, PLAINTIFF was not asked if he was injured. PLAINTIFF was not asked if he was allergic to anything. PLAINTIFF was not asked why he was at the hospital. Another staff member asked PLAINTIFF to remove all his property from his pockets and person and logged the items on a form by hand. PLAINTIFF was then taken to the 13th floor of the hospital. While moving through the hospital PLAINTIFF noticed many armed uniformed police officers. PLAINTIFF realized this was not a regular hospital. Hospital staff told PLAINTIFF to sit in area on the 13th Floor while his room was being prepared. Despite their failure to perform an independent assessment, the JOHN DOE

18. PLAINTIFF saw the doors had code systems on them that employees entered to leave and enter areas.

19.PLAINTIFF was afraid to try and leave, and was involuntarily committed and imprisoned at the hospital. At no point prior to being involuntarily committed did he threaten himself or another person. At no point did PLAINTIFF verbally or physically threaten, intimidate, or frighten another person, nor did he attempt to do any of those actions.

20.PLAINTIFF remained at the hospital from September 10, 2015 until September 16, 2015. PLAINTIFF was forcibly hospitalized for a total of 6 days and a few hours.

21. Not long after arrival, Dr. MARK A. SCHEAR ordered that PLAINTIFF be medicated. Dr. MARK A. SCHEAR did not perform an independent evaluation. No hospital staff performed a medical evaluation of PLAINTIFF. PLAINTIFF did not consent to taking the medication. The medication that was forcibly injected into PLAINTIFF was Risperdal. Despite PLAINTIFF's stated objection to taking the medication, he was held down by JOHN DOE POLICE OFFICER #1-12, JOHN DOE NURSE #1 and other hospital staff. A nurse forcibly inserted a needle into PLAINTIFF's arm and pushed a plunger connected to that needle, injecting Risperdal, a medication, into PLAINTIFF's body over PLAINTIFF's objection.

22.Every time PLAINTIFF passed by the attending nurses station, he asked to be released from the hospital. That request was denied. PLAINTIFF passed by the attending nurses station multiple times a day. PLAINTIFF was told that only the in house psychologist was authorized to release him or Dr. MARK A. SCHEAR. PLAINTIFF was not told of any other way to be released from the hospital.

23. While in the hospital, JOHN DOE ORDERLY #1 would regularly tell PLAINTIFF that he had to take pills prescribed by Dr. MARK A. SCHEAR. PLAINTIFF was not given the option to refuse to take the medication, and he was forced to take it. JOHN DOE NURSE #5 would tell PLAINTIFF that if he did not take the pills she would report it to her supervisor and

the supervisor would send the Male and Female Nurses to return and physically force PLAINTIFF to take the pills.

- 24. On September 16, 2015, PLAINTIFF was released from the hospital to the care of his two sisters Sandra Mejia and Marina Mejia.
- 25. At no point while PLAINTIFF was at the hospital did he threaten himself or another person. At no point during the entirety of this interaction did PLAINTIFF verbally or physically threaten, intimidate, or frighten another person, nor did he attempt to do any of those actions. At no point did PLAINTIFF threaten or engage in self-harm. PLAINTIFF was always well-groomed and while at the hospital. At no point did Plaintiff consent to being in the hospital.
- 26. From September 10, 2015 until September 16, 2015. PLAINTIFF was never an imminent danger to himself or others. Even if he was a danger to himself or others, forced hospitalization would not have been the least restrictive alternative for dealing with PLAINTIFF's condition.
- 27. The entirety of PLAINTIFFs forced hospitalization, forced medication through needles and pills, and invasive testing (blood draws), lacked any medical or safety justification. PLAINTIFF had never been forcibly hospitalized or voluntarily hospitalized for mental health treatment prior to this occurrence.
- 28.PLAINTIFF is disabled, PLANTIFF's disability is due to an injury on the job when employed by the New York Transit Authority.
- 29.PLAINTIFF filed a timely notice of claim with the New York City Comptroller's Office.

ADDITIONAL FACTS. Plaintiff Notes that was ording, to the N.Y. C Dept- of /bealth Wissite, "It Here ARE ABout two DOZEN (MOBILE CRISIS) TEAMS IN the CITY, AND THEY ARE AVAILABLE
IN THE BROWN MANHATHAN, AND QUEENS."

CHISIS SER VICES/MENTAL HEALTH: MOBILE CRISIS TEAMS, N.Y.C DEPTOF HEALTH WEBSITE, Located at: HTTPS://www 1. N/1
GOV/SITE/DOH/HEALTH/HEALTH-TOPICS/
CRISIS-EMERGENCY-SERVICES-MODILE-CRISIS-TEAMS. PAGE (LAST RESPOND TO SITUATIONS THAT ARE NOT EMER GENCIES, Which MEANS THE TEAMS KESPONDS TO SITUATIONS THAT ARE NOT LIFE THREATENING OR POTENTIALLY VIOLENT SITUATIONS THAT DEMAND I MMEDIATE RESPONSES. CRISIS SERVICE MENTAL HEALTH, N.Y.CDEPT OF HEALTH WEBSILL, LOCATED AT: HTTPS: || WWW 1. N.Y.C. GOV/SITE/DON HEALTH/HEALTH-TOPICS/CDISIS-EMERGENEIES-/DON SERVICES. PAGE (LAST ACCESSED ON MAY 13Th, 2018).

THESE TEAMS GENERALLY RESPOND WITHIN 48 HOURS. ID

SEE EXHIBITA AND EXHIBIT B.

Prayer for Relief

30. Wherefore, Plaintiff prays that the Court grants such relief as may be appropriate including injunctive orders and damages, and cost as follows:

- a. A judgment directing Defendants to make Plaintiff whole for the loss of his property in the amount of _______dollars.
- b. A judgment directing Defendants to make Plaintiff whole with compensatory damages for mental anguish, loss of dignity, humiliation, harm to reputation, and pain and suffering, emotional trauma, and denial of civil rights in the amount of (X) (XX) (XXX) dollars.
- c. A judgment awarding Plaintiff punitive damages.
- d. An award of prejudgment interest, costs, and attorneys' fees.
- 31. Such other relief that the court may deem just and proper.

Crisis Emergency Scrvices

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Menu



EXHIBITA

Search

Health TopicsNeighborhood HealthEmergency PrepPublications

Crisis Services/Mental Health

- NYC Well
- · Mobile Crisis Teams
- Child & Adolescent Mental Health Emergency/Crisis Services

A "crisis" situation is one that requires prompt attention, but is not *immediately* life threatening. That is, a "*crisis*" occurrence is one that can be improved or resolved by a visit from a mobile crisis team, who generally responds within 48 hours, or by telephone counseling and referral by NYC Well, the Health Department's 24 hour information and referral hotline operated by the Mental Health Association of New York City, Inc.

1-888-NYC-WELL (1-888-692-9355) is a free, confidential help line for New York City residents. You can call 24 hours per day/7 days a week. The staff of trained mental health professionals help callers find mental health and substance abuse services. NYC Well is multilingual and multicultural:

- 1-888-NYC-WELL (1-888-692-9355)
- 1-888-692-9355 (Español)
- 1-888-692-9355 (中文)
- 711 (TTY for hearing impaired)

You can also text **WELL** to **65173** or go to NYC Well, an online resource for individuals, families and agencies in need of help and information.

Emergencies

"Emergencies" are life threatening, or potentially violent, situations that demand immediate response. In such instances, the public should summon police by calling "911."

Additional Resources

The SAMHSA Behavioral Health Treatment Services Locator is an on-line source of information for persons seeking treatment facilities in the United States or U.S. Territories for mental health and/or substance abuse/addiction problems.

Crisis Emergency pervices Wobile Crisis I cams

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Menu



EXHIBITB

Search

Health TopicsNeighborhood HealthEmergency PrepPublications

Crisis Services/Mental Health: Mobile Crisis Teams

- Crisis Services/Mental Health Main Page
- NYC Well
- Child & Adolescent Mental Health Emergency/Crisis Services

A mobile crisis team is a group of health professionals, such as nurses, social workers and psychiatrists, who can provide mental health services, primarily in people's homes.

There are about two dozen teams in the city, and they are available in the Bronx, Brooklyn, Manhattan and Queens.

Request a Team

You can request help from a mobile crisis team if you are concerned about a family member, friend, or acquaintance who is experiencing (or at risk of) a psychological crisis. You can also request a team for yourself. To request a team, call NYC Well at (888) NYC-WELL (888-692-9355).

Services Provided

Mobile crisis teams can provide mental health engagement, intervention and follow-up support to help overcome resistance to treatment. Depending on what a person is willing to accept, the teams may offer a range of services, including:

- Assessment
- Crisis intervention
- · Supportive counseling
- · Information and referrals, including to community-based mental health services

Transport to Psychiatric Emergency Room

If a mobile crisis team determines that a person in criss needs further psychiatric or medical assessment, they can transport that person to a hospital psychiatric emergency room.

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Crisis Emergency services woome crisis 1 cams-

ige 2 of 2

Mobile crisis teams may direct police to take a person to an emergency room against their will only if they have a mental illness (or the apparenace of mental illness) and are a danger to themselves or others. This is in accordance with NYS Mental Hygiene Law.

RAMÓN I. MejiA, P.O. Box 579, Kingsbridge Station Bronx, NY 10463

RECEIVED SONY DOCKET UNIT 2018 OCT 30 AM 10: 50

tro Se Intake Unit Attn: Honorable Gregory H. Woods United States Ristrict Court Southern District of NOW Jork 500 Pearl Street, Courtroom 12C New York, New York 10007-1312